

## **AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

### **LISTING OF CLAIMS:**

**1. (currently amended):** A transgenic bird which is obtained as a G1 transgenic bird or an offspring thereof by:

- a) incubating a fertilized avian egg to form an early embryo; a)
  - b) microinjecting, into the early embryo thereof at a stage except for and after the blastodermic stage just after egg laying, a replication-deficient retroviral vector coding for a desired protein an antibody into the early embryo, wherein the microinjection occurs at least 24 hours after the start of the incubation;
  - b) allowing the egg to hatch out to thereby obtain a G0 transgenic chimeric bird; and
  - c) mating the G0 transgenic chimeric bird with another G0 transgenic chimeric bird or an offspring thereof or with a wild-type bird;
- wherein the antibody content is not lower than 5µg/ml in blood, not lower than 1µg/ml in egg white, and not lower than 1µg/ml in egg yolk early embryo is at least 24 hours after the start of incubation.

**2. (canceled).**

**3. (currently amended):** The transgenic bird according to ~~Claim 2~~Claim 1, wherein the microinjection of the early embryo is occurs at least 48 hours after the start of the incubation.

**4. (canceled).**

**5. (currently amended):** The transgenic bird according to Claim 1, wherein the bird is a chicken or a quail.

**6. (currently amended):** A transgenic bird, which is a G2 transgenic bird or an offspring thereof obtained by mating the G1 transgenic bird according to Claim 1 with a G0 transgenic bird, another G1 transgenic bird or an offspring thereof, or with a wild-type bird.

**7. (withdrawn - currently amended):** A method for constructing a G1 transgenic bird, which comprises incubating a fertilized avian egg,

- a) microinjecting, into the early embryo thereof at a stage except for and after the blastodermic stage just after egg laying, a replication-deficient retroviral vector coding for a desired protein,
- b) allowing the egg to hatch out to thereby obtain a G0 transgenic chimeric bird, and
- c) mating the G0 transgenic chimeric bird with another G0 transgenic chimeric bird or an offspring thereof or with a wild-type bird.

**8. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 7<sub>1</sub>-wherein the early embryo is at least 24 hours after the start of incubation.

**9. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 8<sub>1</sub>-wherein the early embryo is at least 48 hours after the start of incubation.

**10. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 7<sub>1</sub>-wherein the desired protein is an antibody.

**11. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 7<sub>1</sub>-wherein the bird is a chicken or a quail.

**12. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 7<sub>1</sub>-which comprises microinjecting a replication-deficient retroviral vector having a titer of not lower than  $1 \times 10^7$  cfu/ml.

**13. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 12<sub>1</sub>-which comprises microinjecting a replication-deficient retroviral vector having a titer of not lower than  $1 \times 10^9$  cfu/ml.

**14. (withdrawn - currently amended):** A method for constructing a transgenic bird<sub>1</sub> which comprises mating the G1 transgenic bird according to Claim 1 with a G0 transgenic bird, another G1 transgenic bird or an offspring thereof or with a wild-type bird to construct a G2 transgenic bird or an offspring thereof.

**15. (withdrawn - currently amended):** A method for producing a protein<sub>1</sub>-which comprises extracting a desired protein from somatic cells, blood or eggs from a transgenic bird constructed by the method according to Claim 7.

**16. (withdrawn - currently amended):** A method for sorting out a reproductive lineage transgenic chimeric bird<sub>1</sub>-which comprises collecting sperm samples from transgenic birds according to Claim 1 and testing them for the gene in the sperm.

**17. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 7<sub>1</sub>-wherein the replication-deficient retroviral vector is a vector derived from Moloney murine leukemia virus.

**18. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 7<sub>1</sub>-wherein the replication-deficient retroviral vector is VSV-G pseudotyped.

**19. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 7<sub>1</sub>-wherein the replication-deficient retroviral vector contains a non-retrovirus-derived gene.

**20. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 19<sub>1</sub>-wherein the non-retrovirus-derived gene is controlled under the chicken  $\beta$ -actin promoter.

**21. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 19<sub>1</sub>-wherein the non-retrovirus-derived gene codes an antibody.

**22. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 21<sub>1</sub>-wherein the antibody is a chimeric antibody.

**23. (withdrawn - currently amended):** The method for constructing a transgenic bird according to Claim 22<sub>1</sub>-wherein the chimeric antibody is scFv-Fc antibody.

**24-27. (canceled).**

**28. (withdrawn - currently amended):** A method for sorting out a reproductive lineage transgenic chimeric bird<sub>1</sub>-which comprises incubating a fertilized avian egg, microinjecting, into the early embryo thereof at a stage except for and after the blastodermic

stage just after egg laying, a replication-deficient retroviral vector coding for a desired protein and confirming the gene coding for the desired protein in the sperm of the male G0 transgenic bird obtained by hatching.

**29. (withdrawn - currently amended):** A method for sorting out a transgenic bird, which comprises confirming the expression of the desired protein in the blood of the transgenic bird according to Claim 1.

**30. (withdrawn - currently amended):** A method for sorting out a G0 transgenic chimeric bird, which comprises incubating a fertilized avian egg, microinjecting, into the early embryo thereof at a stage except for and after the blastodermic stage just after egg laying, a replication-deficient retroviral vector coding for a desired protein and confirming the expression of the desired protein in the blood of the G0 transgenic bird obtained by hatching.

**31. (new):** The transgenic bird according to Claim 1, wherein the antibody is a scFv-Fc antibody, and wherein the scFv-Fc antibody content is not lower than 20µg/ml in blood, not lower than 5µg/ml in egg white, and not lower than 1µg/ml in egg yolk.